

Volusia County Sheriff's Office Supervisor Discipline Report

Incident Entered By: [IAPro entry - Sergeant Ryan Mills]

Assigned Investigator: [Incident pending assignment]

Incident Details

Date Received	Date of Occurrence	Time of Occurrence
4/23/2019	4/8/2019	06:00
Record ID #	Agency Case #	File #
25434		SD 19-088
Date/Time Entered		
5/10/2019 14:37		

Incident Summary

Employee Performance Notice (EPN) - Counseling

Please forward the EPN to the involved employee and have them acknowledge the document by typing their name in the comments section. Acknowledgement by the involved employee does not admit wrong doing, only receipt and notification. The involved employee will then forward the EPN back to the initiating supervisor. The supervisor will then forward the EPN through the chain of command for review.

Employee Name- Deputy Luis Garcia

ID#- 7936

Division- Special Operations

District- School resource Deputy

1. List Violations of the Volusia County Sheriff's Office Standards Directives-

26.2.97 Careless Handling of Equipment - Not Resulting in Damage/Loss - Employees shall utilize VCSO/County equipment for its intended purpose in accordance with established procedures and shall not use said equipment in a careless manner. (Violation subject up to a 1 day suspension and/or loss or suspension of the equipment use privileges.)

2. Documented behavior and dates of the incident(s) supporting the violations-

Deputy Garcia, on April 8, 2019, while at your residence you were preparing for your shift. You powered on your department issued Taser in preparation to conduct a "spark" test of your device. You reported that you lost grip of your Taser and quickly grasped the Taser handle. In doing so, you inadvertently pressed the trigger, causing the cartridge to deploy. The probes were ejected and struck the mirror in your garage.

Deputy Garcia you have been properly trained on the use and testing of your assigned Taser and are expected to use due care when conducting such a function. You or someone else could have been injured through such an error.

This incident was reviewed by Command Staff and the recommendation was an Employee Performance Notice. Deputy Garcia, this Employee Performance Notice is a reminder that county equipment shall be used for its intended purpose and you shall not use said equipment in a careless manner.

Any subsequent activity of a similar nature will result in more severe administrative action, up to and including dismissal. Take due care and govern yourself accordingly. Be especially aware of Progressive Discipline 26.1.1.

Incident Location

(None entered)

Categories

Reporting/Involved Citizen Information

ForceSubject None

DOB: Race: Ethnicity: Gender:

Role

-

Involved Employees

DEP Luis Garcia - DID #: 7936

Assignment at time of incident: Title: DEP CSSR

Video Footage: [No Response]

Role

-

Allegations linked to this employee

- Sustained

Tasks

No tasks to show

Running Sheet Entries

No running sheet entries to show

Attachments

No attachments

Assignment History

Sent Dt	From	To
5/10/2019	Sergeant Ryan Mills	(None Specified)

Assignment notes Field status changed in IAPro from to Pending assignment		
Email sent to receiver No email sent		
5/10/2019	Sergeant Ryan Mills	CSSR, School Resource Deputy,
Assignment notes Field assigned		
Email sent to receiver No email sent		
6/6/2019	Sergeant Ryan Mills	(None Specified)
Assignment notes Field status changed in IAPro from Completed - in holding bin to Released		
Email sent to receiver No email sent		

Chain of Command History

Routing #1	
Sent From:	SGT Ryan Mills
Sent To:	CAPT Erik Eagan
CC:	(none)
Sent Date/Time:	5/10/2019 2:42 PM
Instructions from SGT Ryan Mills to CAPT Erik Eagan:	
Please forward the EPN to the involved employee and have them acknowledge the document by typing their name in the comments section. Acknowledgement by the involved employee does not admit wrong doing, only receipt and notification. The involved employee will then forward the EPN back to the initiating supervisor. The supervisor will then forward the EPN through the chain of command for review.	
Comments/Response from CAPT Erik Eagan:	
Comments: [Forwarded by CAPT Erik Eagan]	

Routing #2	
Sent From:	CAPT Erik Eagan
Sent To:	DEP Luis Garcia
CC:	(none)
Sent Date/Time:	5/10/2019 3:52 PM
Instructions from CAPT Erik Eagan to DEP Luis Garcia:	
Luis,	
Please acknowledge this document by typing your name in the comments section. Acknowledgement by you does not admit wrong doing, only receipt and notification. You will then forward the Employee Performance Notice (EPN) - Counseling to Sergeant Ardoin, who will then forward the Employee Performance Notice (EPN) - Counseling through the chain of command for review.	
Thank you	
Comments/Response from DEP Luis Garcia:	
Comments:	

Luis A Garcia Jr.

Routing #3	
Sent From:	DEP Luis Garcia
Sent To:	SGT Ryan Mills
CC:	(none)
Sent Date/Time:	5/13/2019 8:54 AM
Instructions from DEP Luis Garcia to SGT Ryan Mills:	
Luis A Garcia Jr.	
Comments/Response from SGT Ryan Mills:	
Comments: [Forwarded by SGT Ryan Mills]	

Routing #4	
Sent From:	SGT Ryan Mills
Sent To:	SGT Karen Ardoin
CC:	(none)
Sent Date/Time:	5/14/2019 1:18 PM
Instructions from SGT Ryan Mills to SGT Karen Ardoin:	
Deputy Garcia sent this directly to me after acknowledging the EPN. Needs COC acknowledgement	
Comments/Response from SGT Karen Ardoin:	
Comments: [Forwarded by SGT Karen Ardoin]	

Routing #5	
Sent From:	SGT Karen Ardoin
Sent To:	LT Michelle Newman
CC:	(none)
Sent Date/Time:	5/15/2019 8:05 AM
Instructions from SGT Karen Ardoin to LT Michelle Newman:	
Deputy Garcia forwarded this to Sgt. Mills instead of his COC. Sgt. Ardoin	
Comments/Response from LT Michelle Newman:	
Comments: [Forwarded by LT Michelle Newman]	

Routing #6	
Sent From:	LT Michelle Newman
Sent To:	CAPT Erik Eagan
CC:	(none)
Sent Date/Time:	5/15/2019 8:24 AM
Instructions from LT Michelle Newman to CAPT Erik Eagan:	
FYI, after Deputy Garcia acknowledged receipt of the EPN he sent it to Sgt. R. Mills in IA, who then forwarded it back to the appropriate COC.	
Comments/Response from CAPT Erik Eagan:	
Comments: [Forwarded by CAPT Erik Eagan]	

Routing #7	
Sent From:	CAPT Erik Eagan
Sent To:	Admin Group
CC:	(none)
Sent Date/Time:	5/15/2019 8:55 AM

Instructions from CAPT Erik Eagan to Admin Group:

FYA

Comments/Response from CAPT Eric Westfall:

Comments:

[Forwarded by CAPT Eric Westfall]

Routing #8

Sent From:	CAPT Eric Westfall
Sent To:	DCHF Timothy Morgan
CC:	(none)
Sent Date/Time:	5/15/2019 12:16 PM

Instructions from CAPT Eric Westfall to DCHF Timothy Morgan:

Employee acknowledged in routing #2.

Comments/Response from DCHF Timothy Morgan:

Comments:

[Forwarded by DCHF Timothy Morgan]

Routing #9

Sent From:	DCHF Timothy Morgan
Sent To:	CHDP John Creamer
CC:	(none)
Sent Date/Time:	5/15/2019 2:17 PM

Instructions from DCHF Timothy Morgan to CHDP John Creamer:

FYR and for his file.

Comments/Response from CHDP John Creamer:

Comments:

[Forwarded by CHDP John Creamer]

Routing #10

Sent From:	CHDP John Creamer
Sent To:	Admin IA
CC:	(none)
Sent Date/Time:	5/16/2019 10:44 AM

Instructions from CHDP John Creamer to Admin IA:

FYR

Comments/Response from SGT Ryan Mills:

Comments:

[Forward to IAPro by SGT Ryan Mills]

Assigned Investigator Signature Line

[Incident pending assignment]

Chain of Command Signature Lines

CAPT Erik Eagan

DEP Luis Garcia

SGT Ryan Mills

SGT Karen Ardoin

LT Michelle Newman

CAPT Eric Westfall

DCHF Timothy Morgan

CHDP John Creamer